



2013 SENATE BILL 334

1 **AN ACT** *to renumber and amend* 39.41 (6); and *to create* 20.235 (1) (fw), 39.41
2 (6) (b) and 39.415 of the statutes; **relating to:** technical excellence higher
3 education scholarships, granting rule-making authority, and making an
4 appropriation.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 20.235 (1) (fw) of the statutes is created to read:
6 20.235 (1) (fw) *Technical excellence higher education scholarships.* A sum
7 sufficient for payment to technical college district schools under s. 39.415.

8 **SECTION 1r.** 39.41 (6) of the statutes is renumbered 39.41 (6) (a) and amended
9 to read:

10 39.41 (6) (a) ~~-A- Except as provided in par. (b), a scholarship under this section~~
11 shall not be used to replace any other grant for which a student is eligible.

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1 **SECTION 1t.** 39.41 (6) (b) of the statutes is created to read:

2 39.41 (6) (b) A student who receives a scholarship under this section is not
3 eligible to receive a scholarship under s. 39.415.

4 **SECTION 2.** 39.415 of the statutes is created to read:

5 **39.415 Technical excellence higher education scholarships. (1)**

6 DEFINITIONS. In this section:

7 (a) “Executive secretary” means the executive secretary of the board.

8 (b) “Faculty of the high school” means the principal administrative unit of the
9 faculty personnel of a high school.

10 (c) “Level of proficiency in technical education subjects” means the level of
11 proficiency of a senior in technical education subjects according to criteria developed
12 and approved under sub. (2).

13 (d) “School board” has the meaning given in s. 115.001 (7).

14 (e) “School district” has the meaning given in s. 115.01 (3).

15 (f) “Senior” means a pupil enrolled in the 12th grade in a public or private high
16 school, a tribal school, the school operated by the Wisconsin Educational Services
17 Program for the Deaf and Hard of Hearing, or the school operated by the Wisconsin
18 Center for the Blind and Visually Impaired.

19 (g) “Tribal school” has the meaning given in s. 115.001 (15m).

20 (h) “Vocational diploma” means a diploma granted to a person who has
21 completed a 2-year, full-time program in an area designated and approved by the
22 technical college system board for which the course requirements are established by
23 that board.

24 **(2) LEVEL OF PROFICIENCY CRITERIA.** (a) Each school board of a school district
25 operating one or more high schools and each governing body of a private high school

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1 or tribal high school shall develop criteria to determine the level of proficiency in
2 technical education subjects of seniors enrolled in a high school operated by the
3 school district or governed by the governing body and submit those criteria to the
4 board for approval. If the board approves those criteria, the school board or
5 governing body may use those criteria to designate seniors as scholars under sub. (3)
6 (a) or to nominate seniors for designation as scholars under sub. (3) (b) and the
7 faculty of the high school may use those criteria to select seniors for designation as
8 scholars or to certify alternates under sub. (3) (d) or (e).

9 (b) The executive secretary shall develop criteria to determine the level of
10 proficiency in technical education subjects of seniors enrolled in the school operated
11 by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing
12 or the school operated by the Wisconsin Center for the Blind and Visually Impaired
13 and of seniors nominated under sub. (3) (b) and submit those criteria to the board for
14 approval. If the board approves those criteria, the executive secretary may use those
15 criteria to designate seniors as scholars under sub. (3) (c) 1., 2., or 3., or to select
16 alternates under sub. (3) (f) or (g).

17 **(3) DESIGNATION OF SCHOLARS.** (a) Subject to par. (d), by February 25 of each
18 school year, the school board of each school district operating one or more high
19 schools and the governing body of each private high school and of each tribal high
20 school shall:

21 1. For each high school with an enrollment of at least 80 pupils but fewer than
22 500 pupils, designate the senior with the highest level of proficiency in technical
23 education subjects as a scholar.

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1 2. For each high school with an enrollment of at least 500 pupils but fewer than
2 1,000 pupils, designate the 2 seniors with the 2 highest levels of proficiency in
3 technical education subjects as scholars.

4 3. For each high school with an enrollment of at least 1,000 pupils but fewer
5 than 1,500 pupils, designate the 3 seniors with the 3 highest levels of proficiency in
6 technical education subjects as scholars.

7 4. For each high school with an enrollment of at least 1,500 pupils but fewer
8 than 2,000 pupils, designate the 4 seniors with the 4 highest levels of proficiency in
9 technical education subjects as scholars.

10 5. For each high school with an enrollment of at least 2,000 pupils but fewer
11 than 2,500 pupils, designate the 5 seniors with the 5 highest levels of proficiency in
12 technical education subjects as scholars.

13 6. For each high school with an enrollment of 2,500 or more pupils, designate
14 the 6 seniors with the 6 highest levels of proficiency in technical education subjects
15 as scholars.

16 (b) Subject to par. (e), by February 25 of each school year, the school board of
17 each school district operating one or more high schools and the governing body of
18 each private high school and of each tribal high school may, for each high school with
19 an enrollment of fewer than 80 pupils, nominate for designation as a scholar by the
20 executive secretary under par. (c) 3. the senior with the highest level of proficiency
21 in technical education subjects.

22 (c) The executive secretary shall do all of the following:

23 1. Subject to par. (f), for the school operated by the Wisconsin Center for the
24 Blind and Visually Impaired, designate the senior with the highest level of
25 proficiency in technical education subjects as a scholar.

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1 2. Subject to par. (g), for the school operated by the Wisconsin Educational
2 Services Program for the Deaf and Hard of Hearing, designate the senior with the
3 highest level of proficiency in technical education subjects as a scholar.

4 3. Designate not more than 10 seniors nominated under par. (b) as scholars.

5 4. For each public, private, or tribal high school with an enrollment of at least
6 80 pupils, notify the school board of the school district operating the public high
7 school or the governing body of the private or tribal high school of the number of
8 scholars to be designated under par. (a).

9 5. For each public, private, or tribal high school with an enrollment of fewer
10 than 80 pupils, notify the school board of the school district operating the public high
11 school or the governing body of the private or tribal high school that the school board
12 or governing body may nominate a senior under par. (b) who may be designated as
13 a scholar by the executive secretary.

14 (d) By February 25 of each school year, if 2 or more seniors from the same high
15 school of at least 80 pupils have the same level of proficiency in technical education
16 subjects and, except for the limitation on the number of designated scholars, are
17 otherwise eligible for designation under par. (a), the faculty of the high school shall
18 select the applicable number of seniors for designation under par. (a) as scholars and
19 shall select, in order of priority, any remaining seniors with the same level of
20 proficiency as alternates for the scholars or, if there is no remaining senior with the
21 same level of proficiency, any remaining seniors with the next highest level of
22 proficiency as alternates for the scholars. If a senior from that high school who is
23 designated as a scholar under par. (a) does not qualify for a higher education
24 scholarship under sub. (4) (a), an alternate for the scholar with the same level of
25 proficiency as any senior from that high school designated as a scholar under par. (a)

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1 shall be eligible for a higher education scholarship under sub. (4) (a) until the
2 scholarship may be awarded by the board. If an alternate with the same level of
3 proficiency as a scholar under par. (a) does not qualify for a higher education
4 scholarship under sub. (4) (a), an alternate with the next highest level of proficiency
5 shall be eligible for a higher education scholarship under sub. (4) (a) until the
6 scholarship may be awarded by the board.

7 (e) If 2 or more seniors from the same high school of fewer than 80 pupils have
8 the same level of proficiency in technical education subjects and, except for the
9 limitation of one nominated senior, are otherwise eligible for nomination under par.
10 (b), the faculty of the high school shall select the senior who may be nominated by
11 the school board of the school district operating the public high school or the
12 governing body of the private or tribal high school for designation under par. (b) as
13 a scholar by the executive secretary. If that senior is designated as a scholar by the
14 executive secretary, but does not qualify for a higher education scholarship under
15 sub. (4) (a), the faculty of the high school shall select, in order of priority, one or more
16 of the remaining seniors with the same level of proficiency for nomination as a
17 scholar or, if there is no remaining senior with the same level of proficiency, one or
18 more of the remaining seniors with the next highest level of proficiency for
19 nomination as a scholar, and the school board of the school district operating the high
20 school or the governing body of the private or tribal high school shall nominate under
21 par. (b) one or more of these seniors as eligible for a higher education scholarship
22 under sub. (4) (a) until the scholarship may be awarded by the board.

23 (f) If 2 or more seniors from the school operated by the Wisconsin Center for the
24 Blind and Visually Impaired have the same level of proficiency in technical education
25 subjects and, except for the limitation of one designated senior, are otherwise eligible

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1 for designation under par. (c) 1., the executive secretary shall make the designation
2 under par. (c) 1. of the senior who may be eligible for a higher education scholarship
3 under sub. (4) (a). If that senior does not qualify for a higher education scholarship
4 under sub. (4) (a), the executive secretary shall designate, in order of priority, one or
5 more of the remaining seniors with the same level of proficiency, or, if there is no
6 remaining senior with the same level of proficiency, one or more of the remaining
7 seniors with the next highest level of proficiency as eligible for a higher education
8 scholarship under sub. (4) (a) until the scholarship may be awarded by the board.

9 (g) If 2 or more seniors from the school operated by the Wisconsin Educational
10 Services Program for the Deaf and Hard of Hearing have the same level of proficiency
11 in technical education subjects and, except for the limitation of one designated
12 senior, are otherwise eligible for designation under par. (c) 2., the executive secretary
13 shall make the designation under par. (c) 2. of the senior who may be eligible for a
14 higher education scholarship under sub. (4) (a). If that senior does not qualify for a
15 higher education scholarship under sub. (4) (a), the executive secretary shall
16 designate, in order of priority, one or more of the remaining seniors with the same
17 level of proficiency, or, if there is no remaining senior with the same level of
18 proficiency, one or more of the remaining seniors with the next highest level of
19 proficiency as eligible for a higher education scholarship under sub. (4) (a) until the
20 scholarship may be awarded by the board.

21 (h) Notwithstanding par. (a), if a high school of at least 80 pupils closes or
22 merges, the school board of the school district operating the high school or the
23 governing body of the private or tribal high school shall, subject to par. (d), for each
24 of the 2 school years following the closure or merger, designate the same number of
25 scholars from among the pupils enrolled in the high school at the time of closure or

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1 merger as the number of scholars designated for that high school in the school year
2 the high school closed or merged. Any seniors designated under this paragraph shall
3 be eligible for an original scholarship under this section.

4 (4) TECHNICAL COLLEGE SCHOLARSHIPS. (a) If a designated scholar under sub.
5 (3) is admitted to and enrolls, on a full-time basis, by September 30 of the academic
6 year immediately following the school year in which the senior was designated a
7 scholar, in a technical college district school that is participating in the program
8 under this section, the scholar shall receive a higher education scholarship in an
9 amount not to exceed \$2,250 per academic year.

10 (b) For each academic year that a scholar who receives a scholarship under par.
11 (a) is enrolled full time, maintains at least a 3.000 grade point average or the
12 equivalent as determined by the district school, and makes satisfactory progress
13 toward an associate degree, a bachelor's degree, or a vocational diploma, the student
14 is eligible to receive a higher education scholarship as determined under par. (a) in
15 the subsequent year or, if the scholar does not enroll in a participating district school
16 in the subsequent year, in the 2nd year following the year in which the scholar
17 received the scholarship. No scholar is eligible for a higher education scholarship for
18 more than 3 years at a district school.

19 (c) Subject to sub. (5), for each year the student receives a higher education
20 scholarship under par. (a) or (b), the board shall pay the district school, on behalf of
21 the student, an amount not to exceed \$1,125 per academic year.

22 (5) PAYMENTS; MATCH REQUIRED. (a) The board shall make the payments under
23 sub. (4) (c) only if the district school matches the amount of the payment from
24 institutional funds, gifts, or grants.

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1 (b) The board shall make the payments under sub. (4) (c) from the
2 appropriation under s. 20.235 (1) (fw).

3 **(6) NOTIFICATIONS; APPROVAL; WITHDRAWAL.** (a) 1. Each technical college district
4 school that wishes to participate in the scholarship program under this section shall
5 notify the board of its wish to participate in the program by October 1 prior to the
6 academic year in which the school wishes to begin participation. The board shall
7 approve for participation in the program a district school that provides notice under
8 this subdivision of its wish to participate in the program. An approval under this
9 subdivision remains valid until suspended or revoked by the board or until
10 withdrawn by the school as provided under subd. 2.

11 2. If a district school that is approved under subd. 1. for participation in the
12 scholarship program under this section subsequently wishes to no longer participate
13 in the program, the school shall notify the board of this fact in writing by October 1
14 prior to the academic year in which the institution will no longer participate.

15 (b) Each designated scholar who is eligible for an original higher education
16 scholarship under sub. (4) (a) shall notify the board as soon as practicable of the
17 district school he or she will be attending in the next academic year. Each designated
18 scholar who is eligible for a subsequent higher education scholarship under sub. (4)
19 (a) shall notify the board as soon as practicable whether he or she will be enrolling
20 in a participating district school in the academic year immediately following the
21 academic year in which he or she received an original or subsequent scholarship
22 under sub. (4) (a), or in the 2nd academic year following that academic year, and of
23 the district school in which he or she will be enrolling.

